

JUL 31 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

JOSE LIMON-GARCIA; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-74241/05-77403

Agency Nos. A91-818-935
A73-837-639

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006**

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Jose Limon-Garcia and Anita de Limon-Varela, natives and citizens of
Mexico, petition pro se for review of the Board of Immigration Appeals'

* This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

(“Board”) orders adopting and affirming an immigration judge’s denial of their applications for cancellation of removal and denying their motion to reopen proceedings. We dismiss the petition for review.

We lack jurisdiction to review the Board’s discretionary determination that petitioners failed to show exceptional and extremely unusual hardship, *see Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003), as well as the Board’s discretionary determination that the evidence petitioners submitted in support of their motion to reopen was insufficient to establish prima facie eligibility for relief, *Fernandez v. Gonzales*, 439 F.3d 592, 601 (9th Cir. 2006).

Petitioners’ contention that the Board violated their due process or equal protection rights by disregarding evidence of additional hardship to their son Jose is not supported by the record and does not amount to a colorable constitutional claim. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) (“[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.”).

PETITION FOR REVIEW DISMISSED.